IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 18TH MAY 2007 / 28TH VAISAKHA 1929

Crl.MC.No. 1600 of 2007()

CC.39/2001 of JUDL.MAGISTRATE OF FIRST CLASS COURT, ADOOR

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PETITIONER:

MR.SATHEESH, AGED 42,
S/O. NARAYANAN, MANGALTHU VEEDU, KAMUKUMUCHERRY,
KARIYARA P.O., PUNALUR, KOLLAM.

BY ADV. SRI.VARGHESE C.KURIAKOSE
SRI.PRAVEEN K. JOY

RESPONDENTS:

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1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, REPRESENTING
SUB INSPECTOR OF POLICE, KUDUMON POLICE STATION.

2. SURENDRAN, S/O. KOCHUCHERUKKAN,
SUKANYA BHAVAN, KUDUMON VILLAGE, KUDUMON MURI.

BY PUBLIC PROSECUTOR SRI.C.M.KAMAPPU

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 18/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J.

Crl.M.C.NO.1600 OF 2007

Dated this the 18th day of May 2007

ORDER

The petitioner is the 2nd accused in C.C. No. 39 of 2001 of the Judicial First Class Magistrate Court, Adoor with respect to the offences under Sections 379 and 420 IPC vide complaint forwarded under Section 156(3) of the Criminal Procedure Code. It is submitted that the petitioner could not appear before the court below on 21.03.2007 as he was not well. It is apprehended that there will be an order of pre-trial detention on his appearance. Hence he has sought for a direction to the court below that he may not be ordered to be detained on his appearance.

In the circumstances, the petitioner is directed to surrender before the court below within two weeks from today and file an application for bail. Non-bailable warrant is not to be executed in the meantime. Pre-trial detention is not required. The court below shall as far as possible dispose of the application for bail on the date of appearance of the petitioner itself. The Crl.M.C is disposed of accordingly.

K.R.UDAYABHANU
JUDGE

rv/